

Application No.: 09/098,481
Attorney Docket No.: 98-017

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: MIK et al.

Application No.: 09/098,481

Filed: June 16, 1998

For: METHOD AND APPARATUS FOR
PROCESSING A CHARGE
APPLIED TO A FINANCIAL
ACCOUNT

Group Art Unit: 2164

Examiner: S. Wasylchak
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INTERVIEW SUMMARY
of Telephone Conversation Held July 9,
2002

Attorney Docket No.: 98-017

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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being transmitted to
the U.S. Patent and Trademark Office (Fax. No. 703.305.7687) on
July 10, 2002:

Dated: July 10, 2002 By: Michael D. Brinton

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Following the Telephone Conversation held July 9, 2002, consideration of the following
remarks is respectfully requested.

PATENT

Application No.: 09/098,481
Attorney Docket No.: 98-017

Telephone Interview

During a telephone conversation held on July 9, 2002 ("Conversation No. 3"), Examiners Kazimi and Wasylchak and Applicants' representative discussed the Office Action mailed January 3, 2002 (Paper No. 16), and also discussed related conversations held on January 29, 2002 ("Conversation No. 1") and June 5, 2002 ("Conversation No. 2").

Summary: Examiners Kazimi and Wasylchak stated that a new Office Action and an Interview Summary would be mailed, and that the new Office Action would set a new period for Applicants to respond.

During Conversation No. 3, the Examiners and Applicants' representative discussed how in the Office Action mailed January 3, 2002, Claims 3, 6-9, 12-15, 20, 34, 38-39, 42-45, 50-51, and 55 under 35 U.S.C. 102(b) were rejected as being anticipated by U.S. Patent No. 5,945,653 issued to Walker et al. ("the '653 patent").

The Examiners and Applicants' representative also discussed statements made during Conversation No. 1. During Conversation No. 1 with Examiner Wasylchak, Applicants' representative submitted that the '653 patent is not a proper 35 U.S.C. 102(b) reference, as the present application was filed (on June 16, 1998) before the '653 patent issued (on August 31, 1999). Examiner Wasylchak agreed. Examiner Wasylchak stated that a new Office Action would be mailed citing the '653 patent as a 35 U.S.C. 102(e) reference, and that the new Office Action would set a new period for Applicants to respond.

During Conversation No. 1, Applicants' representative also submitted that some of the Examiner's assertions as to features described in the cited reference were not clear or specific enough for Applicants to assist the Examiner during examination of the claims. For example, with respect to Claim 3, the Examiner's reasoning in asserting that Claims 18-19 of the '653 patent describe certain features of Claim 3 is not clear to Applicants. Applicants' representative respectfully requested that rejections in the Office Action mailed January 3 be reconsidered and that more specificity be provided in any rejections provided in the new Office Action, if appropriate. Examiner Wasylchak kindly agreed to consider the clarity of any forthcoming rejections in the new Office Action.

The Examiners and Applicants' representative also discussed statements made during Conversation No. 2. During Conversation No. 2, Applicants' representative inquired as to the new Office Action and also requested that the Examiner provide an Interview Summary indicating that a new Office Action was forthcoming that would provide a new time period for Applicants to respond. The Examiner stated that a new Office Action and an Interview Summary would be provided, and that the new Office Action would set a new period for Applicants to respond.

After discussing Conversations No. 1 and 2, the Examiners stated that a new Office Action and an Interview Summary would be mailed, and that the new Office Action would set a new period for Applicants to respond.

Although no formal agreement was reached with respect to patentability of any pending claims, Applicants are grateful for the opportunity to discuss the application with the Examiners.

PATENT

Application No.: 09/098,481
Attorney Docket No.: 98-017

Conclusion


It is submitted that all of the claims are in condition for allowance. The Examiner's early re-examination and reconsideration are respectfully requested.

Please charge any fees that may be required to Deposit Account No. 50-0271. Furthermore, should an extension of time be required, please grant any extension of time which may be required, and please charge any fee for such an extension to Deposit Account No. 50-0271.

If the Examiner has any questions regarding this amendment or the present application, the Examiner is cordially requested to contact Michael Downs at telephone number (203) 461-7292 or via electronic mail at Mdowns@walkerdigital.com.

Respectfully submitted,

July 10, 2002
Date



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